



General Assembly

Substitute Bill No. 5447

February Session, 2004

* _____HB05447LAB____031604_____*

**AN ACT CONCERNING DISTRIBUTION OF LITERATURE TO
EMPLOYEES ON EMPLOYER PREMISES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) No employer shall
2 prohibit an individual or group of individuals from entering a place of
3 public accommodation for the purpose of distributing literature to the
4 employees or patrons of the employer if (1) the literature is distributed
5 by an individual or group of individuals with a bona fide interest in
6 communicating with the employees or patrons; (2) the employer has,
7 during the employees' regular working hours or during normal
8 business hours, communicated or expressed a position to the
9 employees or patrons about issues that the individual or group of
10 individuals wishes to counter or address, provided the issues are not
11 directly related to a service or product of the employer's business; and
12 (3) the distribution of such literature to the employees or patrons at a
13 location adjacent to or near the place of public accommodation would
14 (A) expose the individual, group of individuals, employees or patrons
15 to a risk of physical injury, including, but not limited to, injury from
16 passing motorists, (B) require the employees or patrons to stop a car on
17 a public highway or public road or take some other action making the
18 voluntary receipt of the literature difficult or disruptive to traffic, or
19 (C) likely result in employees or patrons of an unrelated business or
20 entity being asked to receive the literature in order to ensure that the

21 intended recipients actually receive the literature. For purposes of this
22 section, "employer" means an individual, corporation, partnership or
23 unincorporated association, and "place of public accommodation"
24 means any establishment that caters or offers its services or facilities or
25 goods to the general public.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

LAB *Joint Favorable Subst.*